

RESOLUTION NO. 78-162

BEFORE THE CITY COUNCIL OF THE CITY OF
LODI, CALIFORNIA

INDUSTRIAL WAY AND BECKMAN ROAD ASSESSMENT DISTRICT NO. 1

A RESOLUTION DETERMINING COMPLIANCE WITH DIVISION
4 OF THE STREETS AND HIGHWAYS CODE, AND DETERMINING
TO UNDERTAKE PROCEEDINGS PURSUANT TO SPECIAL
ASSESSMENT AND ASSESSMENT BOND ACTS FOR THE
ACQUISITION AND/OR CONSTRUCTION OF IMPROVEMENTS
WITHOUT FURTHER PROCEEDINGS UNDER SAID DIVISION 4
OF THE STREETS AND HIGHWAYS CODE

RESOLVED, by the City Council of the City of Lodi,
California, that

WHEREAS, all of the owners of more than 60% in
area of the property subject to assessment therefor have
signed and filed with the City Clerk of this City a written petition
for undertaking proceedings pursuant to special assessment and assess-
ment bond acts, and to assess the costs thereof upon the properties
benefited by said improvements, and waiving proceedings under Division
4 of the Streets and Highways Code, for the acquisition and/or
construction of improvements hereinafter more particularly described;

WHEREAS, the costs and expenses of said contemplated improve-
ments will be assessed upon the district benefited thereby, the exterior
boundaries of which are the coterminous exterior boundaries of the
composite and consolidated areas as more particularly shown on a
map thereof on file in the office of the City Clerk, to which reference
is hereby made for further particulars. Said map indicates by a
boundary line the extent of the territory included in the proposed
district and shall govern for all details as to the extent of the
assessment district;

WHEREAS, said acquisitions and/or improvements are more

particularly described as follows:

(a) The improvement of the following streets by clearing and grading, and the construction therein of: Portland cement concrete curbs, gutters, sidewalks; pavement, consisting of roadway excavation, concrete subgrade compaction, aggregate base, and asphalt concrete paving; barricades, street sign posts and survey monuments; storm water drain pipes with manholes and catch basins; sanitary sewer pipe, with manholes and service laterals; domestic water distribution asbestos cement pipe, with butterfly valves, blowoffs, fire hydrants, and service laterals; and street lighting system; to wit:

(1) Industrial Way from the easterly line of Beckman Road easterly approximately 1,250 feet to its intersection with Cluff Avenue;

(2) Cluff Avenue from Industrial Way southerly approximately 732 feet to the southerly line of Vine Street;

(3) Vine Street from its intersection with Cluff Avenue westerly approximately 868 feet; and

(4) The easterly side of Beckman Road from its intersection with Industrial Way northerly approximately 450 feet.

(b) Removal of excess material and compaction of fill in areas where excess material has been removed, the compaction of land, and change of grade or contours, all suitable for the purpose of the stabilization of soils within the District and/or to eliminate any disparity in level or size between the improvements and private property;

(c) The payment to Pacific Gas and Electric Company, a regulated public utility, for the performance of work and service by said utility for the installation of a natural gas distribution system, together with necessary appurtenances for the distribution of gas service to the lots within the District;

(d) The doing of all work auxiliary to any of the above and necessary to complete the same;

(e) The acquisition of all lands and easements necessary for any of said work and improvements.

WHEREAS, the public interest, convenience and necessity will be served by the taking of said proceedings;

WHEREAS, said proceedings are in part for the financing of said improvements in said assessment district to be initiated under a contract entered into or proposed to be entered into between

CYE G. VAUGHAN, JR., and JOANNE VAUGHAN and the CITY OF LODI, and a further contract between ROBERT B. WOODS, as Trustee, CHARLES F. FERDUN, as Trustee, and the CITY OF LODI, pursuant to Section 66462 of the Government Code of the State of California;

WHEREAS, the subdividers of Tract No. 1461, Ferdun & Woods Industrial Park, and Tract No. 1462, Industrial Way Business Park, Subdivisions of San Joaquin County California, pursuant to Section 2804.1 of the Streets and Highways Code, have submitted written evidence satisfactory to this Council that the total estimated amount of the proposed assessment will not exceed seventy-five percent (75%) of the estimated fair market value of the land proposed to be assessed after the proposed public improvements shall have been acquired and/or completed, and the Council is fully informed in the premises;

WHEREAS, said owners have furnished the City Clerk with their affidavit, and any additional evidence which said Clerk may have required, concerning the existence of mortgages or deeds of trust on said land proposed to be subdivided and the names of any mortgagees or beneficiaries thereunder, as required by Section 2804.2 of the Streets and Highways Code;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED AS FOLLOWS:

1. That all of the owners of more than 60% in area of the property subject to assessment for said proposed improvements have filed with the City Clerk of this City a written petition for the acquisition and/or construction of improvements pursuant to appropriate special assessment and assessment bond acts, without further compliance with the provisions of Division 4 of the Streets and Highways Code.

2. That the total estimated amount of the proposed assessment will not exceed seventy-five percent (75%) of the estimated fair market value of the land proposed to be assessed after the proposed acquisition and/or construction of improvements.

3. That said owners, as specified in Section 2804 of the Streets and Highways Code, have furnished the City Clerk with their affidavit and any additional evidence which said Clerk may have required, concerning the existence of mortgages or deeds of trust on that portion of said lands to be assessed which is for the financing of improvements to be initiated under a contract entered into or proposed to be entered into pursuant to Section 66462 of the Government Code, and the names of any mortgagees or beneficiaries thereunder, and said Clerk has not required any additional evidence referred to above, all in strict compliance with the requirements of Section 2804.2 of the Streets and Highways Code.

4. That the provisions of Division 4 of the Streets and Highways Code, other than those referred to herein, be, and they are hereby dispensed with.

DATED: November 15, 1978.

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 78-162 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held November 15, 1978 by the following vote:

AYES:	Councilmen - Hughes, McCarty and Pinkerton
NOES:	Councilmen - None
ABSENT:	Councilmen - Katnich and Katzakian
ABSTENTIONS:	Councilmen - None



ALICE M. REIMCHE